

### **REMARKS**

Applicants and the undersigned thank Examiner Bomar for carefully reviewing this application. Reconsideration of the present application in light of the above-amendments and the following remarks is respectfully requested.

#### **Status of the Claims**

Upon entry of the above-amendments, claims 1-25, 28-32, 34-41, and 44-48 are pending in this application. Claims 1-25 and 34-41 are allowed.

#### **Rejections Under 35 U.S.C. §102**

Claims 26-30, 32, 42-46, and 48 were rejected under 35 U.S.C. §102(e) as being anticipated by Brisco (U.S. Patent Publication No. 2006/0096762). Claims 26, 27, 42, and 43 have been cancelled without prejudice or disclaimer, rendering this rejection moot with respect to those claims. Claim 28, from which claims 29-32 depend, and claim 44, from which claims 45-48 depend, have been amended to include the features recited in claims 33 and 49, respectively. Accordingly, claims 28 and 44 are no longer considered as being anticipated by Brisco, nor are dependant claims 29, 30, 32, 45, 46, and 48. Withdrawal of this rejection is respectfully requested.

#### **Rejections Under 35 U.S.C. §103**

Claims 31, 33, 47, and 49 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Brisco (U.S. Patent Publication No. 2006-0096762), in view of Gill, et al. (U.S. Patent No. 5,667,011) or in view of Sivley (U.S. Patent No. 6,607,220). Claims 33 and 49 have been cancelled and incorporated into claims 28 and 44, respectively. Brisco does not qualify as prior art under 35 U.S.C. §103(c) because Brisco and the present application are both assigned to Enventure Global Technologies. The assignment for Brisco, which issued as U.S. Patent No. 7,398,832, was recorded at Reel 013329, Frame 0840. The assignment for the present application was recorded at Reel 013633, Frame 0498. Due to the common assignment, Brisco is disqualified as prior art for the purpose of any obviousness rejection under 35 U.S.C. §103. Accordingly, withdrawal of the

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rejection to claims 31 and 47 and allowance of claims 28 and 44, along with all dependent claims, is respectfully requested.

### CONCLUSION

Applicants believe all matters in the Final Office Action dated July 21, 2008 have been addressed and that all pending claims are allowable. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Deposit Account Number 03-2769 (2725-11408).

Respectfully submitted,  
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